

Notice of Allowability

Application No.

09/848,231

Examiner

SIMON KE

Applicant(s)

APPELMAN, BARRY

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. This communication is responsive to 9/29/11.
- 2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 3. The allowed claim(s) is/are 1-21 and 23-56.
- 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has **THREE MONTHS FROM THE "MAILING DATE"** of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
- 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1. Notice of References Cited (PTO-892)
- 2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 20
- 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5. Notice of Informal Patent Application
- 6. Interview Summary (PTO-413), Paper No./Mail Date 9/29/11.
- 7. Examiner's Amendment/Comment
- 8. Examiner's Statement of Reasons for Allowance
- 9. Other _____.

/Peng Ke/
Primary Examiner, Art Unit 2174

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eric Wendler on 9/29/11.

The application has been amended as follows:

1. (Currently Amended) A communications method for transferring electronic data between users of a communications system, the method comprising:
 - delivering an e-mail message from a sender to at least one recipient; and
 - upon opening of the e-mail message by the recipient, indicating on a display, to the at least one recipient, an online state of one or more of the sender and any one other recipient of the e-mail message,
 - wherein indicating the online state comprises:
 - determining an identity of one or more of the sender or any one other recipient by stripping a domain name from an email address associated with the one or more of the sender or any one other recipient, and
 - determining the online state of the one or more of the sender or any one other recipient by performing a reverse look-up with the determined identity of the one or more of the sender or any one other recipient.

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2. (Original) The method of claim 1 further comprising sending a message to at least one of the sender and any other recipient based on the online state.

3. (Original) The method of claim 2 wherein the message comprises an instant message.

4. (Original) The method of claim 2 wherein the message comprises an e-mail message.

5. (Original) The method of claim 4 wherein the e-mail message comprises an invitation to join the communications system.

6. (Original) The method of claim 1 wherein indicating the online state comprises displaying a graphical user interface to the recipient.

7. (Original) The method of claim 6 wherein the graphical user interface comprises an icon positioned next to an e-mail address in the e-mail message.

8. (Original) The method of claim 1 wherein indicating the online state comprises indicating whether the sender is online, offline, or not a member of the communications system.

9. (Original) The method of claim 1 wherein indicating the online state comprises accepting a request to check user online state.

10. (Original) The method of claim 9 wherein the request comprises at least one e-mail address.

11. (Original) The method of claim 9 wherein the request comprises an Internet protocol.

12. (Original) The method of claim 11 wherein the Internet protocol is hypertext transfer protocol.

13. (Original) The method of claim 9 wherein the request is initiated by a client of the user.

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14. (Original) The method of claim 9 further comprising sending a redirection command based on the online state.

15. (Original) The method of claim 14 wherein the redirection command comprises a uniform resource locator.

16. (Original) The method of claim 1 wherein indicating the online state comprises establishing a persistent connection to an instant messaging server.

17. (Original) The method of claim 1 wherein indicating the online state comprises checking a control port.

18. (Currently Amended) A computer program for transferring electronic data between users of a communications system, the computer program being stored on a non-transitory computer readable medium and comprising instructions for:

delivering an e-mail message from a sender to at least one recipient;

upon opening of the e-mail message by the recipient, indicating on a display, to the at least one recipient, an online state of at least one of the sender and any one other recipient of the e-mail message,

wherein indicating the online state comprises:

determining an identity of one or more of the sender or any one other recipient by stripping a domain name from an email address associated with the one or more of the sender or any one other recipient, and

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determining the online state of the one or more of the sender or any one other recipient by performing a reverse look-up with the determined identity of the one or more of the sender or any one other recipient.

19. (Original) The computer program of claim 18 wherein the computer readable medium comprises a disc.

20. (Original) The computer program of claim 18 wherein the computer readable medium comprises a client device.

21. (Original) The computer program of claim 18 wherein the computer readable medium comprises a host device.

22. (Canceled).

23. (Currently Amended) A communications apparatus for transferring electronic data between users of a communications system, the apparatus including at least one processor and configured to:

deliver an e-mail message from a sender to at least one recipient;

upon opening of the e-mail message by the recipient, indicate on a display, to the at least one recipient, an online state of at least one of the sender and any one other recipient of the e-mail message,

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wherein to indicate the online state comprises:

determine an identity of one or more of the sender or any one other recipient by stripping a domain name from an email address associated with the one or more of the sender or any one other recipient, and

determine the online state of the one or more of the sender or any one other recipient by performing a reverse look-up with the determined identity of the one or more of the sender or any one other recipient.

24. (Original) The communications apparatus of claim 23 wherein the communications apparatus comprises a client device.

25. (Original) The communications apparatus of claim 23 wherein the communications apparatus comprises a host device.

26. (Currently Amended) A communications apparatus for transferring electronic data between users of a communications system, the apparatus including at least one processor and comprising:

delivering means for delivering an e-mail message from a sender to at least one recipient; and

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indicating means for indicating on a display, to the at least one recipient, an online state of at least one of the sender and any one other recipient of the e-mail message upon opening of the e-mail message by the recipient,

wherein the indicating means comprises:

means for determining an identity of one or more of the sender or any one other recipient by stripping a domain name from an email address associated with the one or more of the sender or any one other recipient, and

means for determining the online state of the one or more of the sender or any one other recipient by performing a reverse look-up with the determined identity of the one or more of the sender or any one other recipient.

27. (Previously Presented) The method of claim 1 further comprising enabling a graphical user interface based upon the online state.

28. (Previously Presented) The method of claim 27 wherein a graphical user interface enabled for a first online state differs from a graphical user interface enabled for a second online state.

29. (Previously Presented) The computer program of claim 18 further comprising instructions for enabling a graphical user interface based upon the online state.

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30. (Previously Presented) The computer program of claim 29 wherein instructions for enabling a graphical user interface for a first online state differ from instructions for enabling a graphical user interface for a second online state.

31. (Previously Presented) The method of claim 1 wherein indicating the online state comprises indicating the online state of the sender of the e-mail message.

32. (Previously Presented) The method of claim 1 wherein indicating the online state comprises indicating the online state of at least one other recipient of the e-mail message.

33. (Previously Presented) The method of claim 1 wherein indicating the online state comprises indicating the online state of both the sender and at least one other recipient of the e-mail message.

34. (Previously Presented) The method of claim 1 wherein indicating the online state comprises indicating the online state of the sender and every other recipient of the e-mail message.

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35. (Previously Presented) The method of claim 1 wherein indicating the online state comprises indicating whether one or more of the sender and any other recipient is online, offline, away, busy, or not a member of the communications system.

36. (Previously Presented): The method of claim 1 wherein indicating the online state comprises providing one or more visual indicators to the recipient.

37. (Previously Presented) The method of claim 36 wherein the visual indicators are associated with one or more of the sender and at least one other recipient.

38. (Previously Presented) The method of claim 36 wherein characteristics of the visual indicators are used to indicate the online state of one or more of the sender and at least one other recipient.

39. (Previously Presented) The method of claim 36 further comprising selecting at least one of the visual indicators to initiate at least one user interface.

40. (Previously Presented) The method of claim 39 wherein selecting the at least one visual indicator initiates at least one user interface configured to enable the recipient to send an e-mail message communication to an identity associated with the visual indicator.

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41. (Previously Presented) The method of claim 39 wherein selecting the at least one visual indicator initiates at least one user interface configured to enable the recipient to send an instant message communication to an identity associated with the visual indicator.

42. (Previously Presented) The computer program of claim 18 wherein the instructions for indicating the online state comprise instructions for indicating the online state of the sender of the e-mail message.

43. (Previously Presented) The computer program of claim 18 wherein the instructions for indicating the online state comprise instructions for indicating the online state of at least one other recipient of the e-mail message.

44. (Previously Presented) The computer program of claim 18 wherein the instructions for indicating the online state comprise instructions for indicating the online state of both the sender and at least one other recipient of the e-mail message.

45. (Previously Presented) The computer program of claim 18 wherein the instructions for indicating the online state comprise instructions for indicating the online state of the sender and every other recipient of the e-mail message.

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46. (Previously Presented) The computer program of claim 18 wherein the instructions for indicating the online state comprise instructions for providing one or more visual indicators to the recipient.

47. (Previously Presented) The communications apparatus of claim 23 wherein the apparatus is configured to indicate the online state of the sender of the e-mail message.

48. (Previously Presented) The communications apparatus of claim 23 wherein the apparatus is configured to indicate the online state of at least one other recipient of the e-mail message.

49. (Previously Presented) The communications apparatus of claim 23 wherein the apparatus is configured to indicate the online state of both the sender and at least one other recipient of the e-mail message.

50. (Previously Presented) The communications apparatus of claim 23 wherein the apparatus is configured to indicate the online state of the sender and every other recipient of the e-mail message.

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51. (Previously Presented) The communications apparatus of claim 23 wherein the apparatus is configured to indicate the online state by providing one or more visual indicators to the recipient.

52. (Previously Presented) The communications apparatus of claim 26 wherein the indicating means comprises indicating means for indicating the online state of the sender of the e-mail message.

53. (Previously Presented) The communications apparatus of claim 26 wherein the indicating means comprises indicating means for indicating the online state of at least one other recipient of the e-mail message.

54. (Previously Presented) The communications apparatus of claim 26 wherein the indicating means comprises indicating means for indicating the online state of both the sender and at least one other recipient of the e-mail message.

55. (Previously Presented) The communications apparatus of claim 26 wherein the indicating means comprises indicating means for indicating the online state of the sender and every other recipient of the e-mail message.

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56. (Previously Presented) The communications apparatus of claim 26 wherein the indicating means comprises indicating means for providing one or more visual indicators to the recipient.

Claims 57-80. (Cancelled).

Allowable Subject Matter

Claims 1-21 and 23-56 are allowed.

The following is an examiner's statement of reasons for allowance: the prior arts fail to teach individual or in combination: "upon opening of the e-mail message by the recipient, indicating on a display, to the at least one recipient, an online state of at least one of the sender and any one other recipient of the e-mail message,

wherein indicating the online state comprises:

determining an identity of one or more of the sender or any one other recipient by stripping a domain name from an email address associated with the one or more of the sender or any one other recipient, and

determining the online state of the one or more of the sender or any one other recipient by performing a reverse look-up with the determined identity of the one or more of the sender or any one other recipient."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KE whose telephone number is (571)272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Primary Examiner, Art Unit 2174